

**COMMITTEE ON
GOVERNMENT ASSURANCES
(2011-2012)**

(FIFTEENTH LOK SABHA)

TWENTY SECOND REPORT

**REVIEW OF PENDING
ASSURANCES PERTAINING TO
THE MINISTRY OF STEEL, THE
MINISTRY OF MICRO, SMALL &
MEDIUM ENTERPRISES AND THE
MINISTRY OF PANCHAYATI RAJ**

Presented to Lok Sabha on 04 September, 2012



**LOK SABHA SECRETARIAT
NEW DELHI**

September, 2012/Bhadrapada, 1934 (Saka)

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**COMPOSITION OF THE COMMITTEE ON
GOVERNMENT ASSURANCES*(2011 - 2012)**

Shrimati Maneka Gandhi - **Chairperson**

MEMBERS

2. Shri Hansaraj Gangaram Ahir
3. Shri Avtar Singh Bhadana
4. Shri Kantilal Bhuria
5. Shri Dara Singh Chauhan
6. Shri Bansa Gopal Chowdhury
7. Shri Ram Sundar Das
8. Smt. J. Helen Davidson
9. Shri Bijoy Krishna Handique
10. Sardar Sukhdev Singh Libra
11. Shri Ramkishun
- 12.# Rajkumari Ratna Singh
13. Shri Takam Sanjoy
14. Shri Jagadanand Singh
- 15.@ Shri Rajendra Agrawal

SECRETARIAT

1. Shri P. Sreedharan - Additional Secretary
2. Shri R.S. Kambo - Director
3. Shri T.S. Rangarajan - Additional Director
4. Shri Kulvinder Singh - Committee Officer

* The Committee was constituted w.e.f. 23 September, 2011 *vide* Para No. 3376 of Lok Sabha Bulletin Part-II dated 24 November, 2011.

@ Nominated to the Committee on 3 February, 2012 vice Shri Hukmadeo Narayan Yadav, M.P. resigned Lok Sabha [Refer to Para No. 3629 & 3630 dated 3 February, 2012.]

Nominated to the Committee on 2 May, 2012 vice Shri Mekapati Rajamohan Reddy, M.P. resigned Lok Sabha [Refer to Para No. 3688 dated 29 February, 2012 and 3993 dated 2 May, 2012.]

INTRODUCTION

I, the Chairperson of the Committee on Government Assurances, having been authorized by the Committee to submit the Report on their behalf, present this Twenty Second Report of the Committee on Government Assurances.

2. The Committee (2011-2012) at their sitting held on 14 May, 2012 took oral evidence of the representatives of the Ministry of Steel, the Ministry of Micro, Small and Medium Enterprises and the Ministry of Panchayati Raj regarding pending assurances upto the Seventh Session of the 15th Lok Sabha pertaining to these Ministries.

3. At their sitting held on 30 August, 2012, the Committee (2011-2012) considered and adopted their Twenty Second Report.

4. The Minutes of the aforesaid sittings of the Committee form part of this report.

5. For facility of reference and convenience, the observations and recommendations of the Committee have been printed in bold letters in the Report.

**MANEKA GANDHI
CHAIRPERSON
COMMITTEE ON GOVERNMENT ASSURANCES**

NEW DELHI;
30 August, 2012

Bhadrapada 8, 1934 (Saka)

REPORT

I. Introductory

The Committee on Government Assurances scrutinise the assurances, promises, undertakings etc. given by the Ministers from time to time on the floor of the House and report the extent to which such assurances, promises, undertakings etc. have been implemented. Once an assurance has been given on the floor of the House, the same is required to be implemented within three months. The Ministries/Departments of the Government of India are under obligation to seek extension of time, if they are unable to fulfil the assurance within the prescribed period of three months. Where a Ministry/Department are unable to implement an assurance, they are required to move the Committee to drop the same. The Committee consider such requests and agree to drop, if they are convinced with the grounds cited to be justified. The Committee also examine whether the implementation of assurances has taken place within the minimum time necessary for the purpose and the Committee also look into the extent to which the assurances have been implemented.

2. The Committee on Government Assurances (2009-10) took a policy decision to call the representatives of the various Ministries/Departments of the Government of India, in a phased manner, to review the pending assurances and also look at the reasons for pendency, the operation of the prescribed system in the Ministries/Departments for dealing with assurances. The Committee also decided to look at the quality of assurances implemented by the Government.

3. In pursuance of the decision referred to above, the Committee (2011-2012) called the representatives of the Ministries of Steel, Micro, Small and Medium Enterprises and Panchayati Raj and examined the 18 pending assurances pertaining to these Ministries at their sitting held on 14 May, 2012.

CHAPTER-I

Ministry of Steel

4. The 06 assurances pertaining to the Ministry of Steel which were pending implementation at the time of taking oral evidence were as follows :-

S.No.	SQ/USQ No. Dated	Subject
1.	USQ No. 728 09.07.2009	Suspension of Operations by VISL
2.	USQ No. 4601 06.08.2009	Acquirement of Stake by NMDC
3.	USQ No. 3186 15.04.2010	Allocation of Captive Iron Ore Mines for Steel Plants
4,	USQ No. 5661 29.04.2010	Shifting of Steel Projects
5.	USQ No. 3205 12.08.2010	Production of Steel
6.	USQ No. 3800 02.12.2010	Setting up of Iron Ore Mines and Steel Plants in M.P.

5. The above mentioned questions and the replies given thereto are reproduced in Appendix-I.

Scrutiny of Pending Assurances pertaining to the Ministry of Steel

6. During the oral evidence, the Committee examined all the 06 assurances. Some of these assurances have been dealt with in the succeeding paragraphs. These issues are as follows:-

A. Allocation of Captive Iron Ore Mines for Steel Plants

USQ No. 3186 dated 15 April, 2010 regarding Allocation of Captive Iron Ore Mines for Steel Plants.

B. Shifting of Steel Projects

USQ No. 5661 dated 29 April, 2010 regarding Shifting of Steel Projects.

A. USQ No.3186 dated 15 April, 2010 regarding Allocation of Captive Iron Ore Mines for Steel Plants

7. During oral evidence the representatives of the Ministry informed the Committee that they have collected the information sought in the above Unstarred Question.

8. When the Committee, sought explanation for inordinate delay in the collection of the information, the representative of the Ministry stated as follows:-

"Getting through the State Governments is actually very tough, Madam, because they do not give reply etc. But now we have been able to collect it."

OBSERVATIONS / RECOMMENDATIONS

9. The Committee note that the assurance given in reply to USQ No. 3186 dated 15 April, 2010 regarding the details of captive iron ore mines allocated to both, public and private sector iron and steel plants has been pending for more than two years for want of requisite information from the States. However, after the matter was taken up by the Committee, now the information was got collected. The Committee further note with concern that the Implementation Report sent in this regard on 09 May, 2012 to the Ministry of Parliamentary Affairs, has not been laid on the Table of the House so far. All these seem to indicate the scant attention being given by the Ministry of Steel in the matter of implementation of assurances, which is deplorable. The Committee, therefore, recommend that the Ministry of Steel should take up the matter with the Ministry of Parliamentary Affairs for laying the Implementation Report in the Monsoon Session itself. The Committee would like to be apprised of the steps taken by the Ministry of Steel in this regard. The Ministry should also streamline their mechanism for implementation of assurances given on the floor of the House.

B. USQ No.5661 dated 29 April, 2010 regarding Shifting of Steel Projects

10. On being asked about the reasons for delay in implementation of the assurance, the representative of the Ministry stated as follows:-

"I have to say that we have not been able to get the required information from Orissa and Jharkhand. We have sent many number of reminders. I would like to say that unless we have a computer system in place in which we are able to monitor it on line, it would be difficult."

11. Commenting further, representative of the Ministry stated as follows:-

"I would suggest that we should put in place a system by which they are reminded on a regular basis on their own computers.....Presently there is no such punitive action under any law for not supplying information."

12. On being asked about holding up the licences and the licensing mechanisms for the States, the representative of the Ministry stated as follows:-

"Madam, Steel sector has been deregulated, so we have no licences to give."

13. The Committee therefore pointed out that what precise action is taken by the Ministry in such circumstances. In reply, the representative of the Ministry stated as follows:-

"Madam, actually we need to put in place a rigorous system in which we should actually collect information. We will do our best and within the next three months we will collect the information."

14. The Committee however desired that the information from the defaulting States be collected within one week.

OBSERVATIONS / RECOMMENDATIONS

15. The Committee note that the assurance given in reply to Unstarred Question No. 5661 dated 29 April, 2010 regarding Shifting of Steel Projects is pending since the year 2010 as the information regarding the number of proposed steel projects of Jharkhand and Orissa considering to shift to other parts of the country was required to be collected from the State Governments. During oral evidence the representative of the Ministry admitted that they have not been able to collect the required information from the State Government of Orissa and Jharkhand despite reminders/requests. The Committee feel that the Government should act with alacrity in future, and procure State specific information/data, from the concerned States, within a reasonable time and in any case not exceeding a period of three-six months. No assurance be allowed to pend for want of data/input from the State Governments exceeding this period. In case of delay in furnishing requisite information for more than three months, the matter be taken up at the highest level, with the defaulting States and necessary information/data obtained. The Committee therefore desire that the assurance be implemented expeditiously.

CHAPTER-II

Ministry of Micro, Small and Medium Enterprises

16. The 06 assurances pertaining to Ministry of Micro, Small and Medium Enterprises which were pending implementation at the time of taking oral evidence were as follows :-

S.No.	SQ/USQ No. Dated	Subject
1.	USQ No. 3356 28.07.2009	Promotion of MSME products
2.	USQ No. 810 02.03.2010	Hazardous Toys
3.	USQ No. 3179 16.03.2010	Purchase Policy for Micro, Small and Medium Enterprises
4.	SQ No. 137 03.08.2010	Procurement Policy of MSME
5.	USQ No. 3242 30.11.2010	Purchase from Enterprises Belonging to SCs/STs
6.	USQ No. 2511 10.03.2011	Growth of MSME Sector

17. The above mentioned questions and the replies given thereto are reproduced in Appendix-II.

A. Scrutiny of Pending Assurances pertaining to Ministry of Micro, Small and Medium Enterprises

18. During oral evidence, the Committee examined all the 06 assurances. As regard to assurances at Sl. No. 1 above, the Committee noted that it relates to formulation of a procurement policy for MSEs as envisaged under the Micro, Small and Medium Enterprises Development Act in consultation with the Ministries concerned. The Committee also noted that all the above assurances except assurance at Sl. No. 2 (taken up at "B" below) relates to the formulation of procurement policy. The Committee therefore in the first instance desired to know about the formulation of the said procurement policy. In reply, the representative of the Ministry stated as follows:-

"I am happy to submit here that in this regard the Gazette Notification has been finally issued in March this year and we have intimated the position to the Parliament in April. We are hoping that this would be laid on the Table of the House in due course.

19. On being asked about the delay in implementation of the assurances the representative of the Ministry stated as follows:-

"In so far as delay is concerned, I would like to submit that this is a major policy decision which the Government had to take and it went through a very large number of processes of consultations. Every Ministry of Government of India had to be consulted because it relates to the procurement by every organization. Therefore, we had to go through that process.....finally we had to get the approval of the Cabinet itself.

OBSERVATIONS / RECOMMENDATIONS

20. The Committee note that five assurances regarding formulation of Procurement Policy for MSEs as envisaged under the Micro Small and Medium enterprises Development Act were pending from the year 2009. However, the Implementation Reports of all the five assurances on the Procurement Policy were finally laid on the Table of the House on 17 May, 2012 thereby fulfilling all the five assurances, at the intervention of the Committee. The Committee do agree that the finalization of Procurement Policy passed through various stages of finalization. However, the Committee hope and trust that the assurances would be implemented expeditiously in future.

B. USQ No. 810 dated 2 March, 2010 regarding Hazardous Toys.

21. At the outset the Committee desired to know about the present status of the assurances. In reply the representative of the Ministry stated as follows:-

"There is one assurance.....pending with us. This relates to the Hazardous Toys. This assurance actually has been pending now since 23 March, 2010. "

22. The Committee pointed out that the Hazardous Toys should be banned as Phthalate is very-very dangerous and enquired about the decision taken by the Ministry in this regard.

In reply, the representative of the Ministry stated as follows:-

"Madam, let me begin with one clarification. Although we have answered this question, the nodal Ministry for this action would be Department of Industrial Policy and Promotion (DIPP). We wanted to transfer this to that Department. It did not work. I believe there is a representative of DIPP present here today."

23. The Committee, therefore, desired to hear the views of the representatives of the Department of Industrial Policy and Promotion (DIPP), Ministry of Commerce & Industry, who was present in the sitting. In reply, the representative of the Ministry stated as follows:-

"The problem with this is that the Government issues notification making standards on any item compulsory if it is in the Industries Development Regulation Act, 1951. The BIS Act, 1986 links items with the Industries Development Regulation Act, 1951. In this case toy is not in the Schedule to the Industries Development Regulation Act, 1951. That is why amendment of BIS Act is necessary. In this regard the Ministry of Consumer Affairs has already piloted the proposal and it has been approved by the Cabinet. Now, it is with the Parliament. Once it is ratified by the Parliament then we will issue the order (Notification on Toys & Toy Production Compulsory Registration Order, 2009)."

24. On being asked to throw light on the 'order' to be issued the representative of the Ministry informed the Committee as follows:-

"Actually the question is to make the standards mandatory so that the hazardous toys cannot be sold in the market."

25. The Committee, therefore, desired to know whether at present there are no 'standards' regarding Hazardous Toys. In reply, the representative of the Ministry stated as follows:-

"There are standards. The position is that, it is not mandatory. Once, it is notified by the Government. Then it will be mandatory."

26. The representative of the Ministry of Commerce & Industry (Department of Industrial Policy and Promotion) further apprised the Committee as follows:-

"Madam, I would like to submit one more thing. The problem lies in the implementation side. It is because our country is very diverse and the toys sector is as diverse as our country is. Toys are basically in the household sector. So when we notify the orders for making it mandatory, this will be applicable to the household sector as well. Then, they will face a lot of difficulty."

27. On being informed that Phthalate used in toy making too is harmful to child the representative further stated as follows:-

"Our problem is that household sector is not aware of the standards as to how will they implement and comply with it..... it is just approved by the Parliament, we will issue the notification."

28. The representative of Ministry of Consumer Affairs, Food & Public Distribution, present in the sitting, stated as follows:-

"I would like to submit that Ministry of Commerce & Industry is the nodal Ministry. This Ministry is supposed to issue the order for making it mandatory."

29. The Committee took objection to lack of coordination amongst the three Ministries. To the Committee, it seemed that they were not serious in the implementation of an assurance, which is of vital public importance. The Committee, therefore, directed that the said order be issued at the earliest.

OBSERVATIONS / RECOMMENDATIONS

30. The Committee note that an important assurance regarding Hazardous Toys is lying pending since March 2010. The implementation of the assurance is contingent upon action by the three, Ministries viz. the Ministry of Micro, Small and Medium Enterprises (MSME), the Ministry of Commerce and Industry (Department of Industrial Policy and Promotion) and the Ministry of Consumer Affairs, Food and Public Distribution. The Committee, however, regret to note that instead of initiating concerted efforts to implement the assurance, the three Ministries appear to be throwing the ball in each others court. Firstly, the Ministry of Micro, Small and Medium Enterprises intended to transfer the assurance to the Ministry of Commerce and Industry, Department of Industrial Policy and Promotion (DIPP) but it did not find any taker there. Secondly, the Department of Industrial Policy and Promotion, had to notify the order i.e. Toys & Toy Products (Compulsory Registration) Order to address the issue of safety and hazardous content of toys. Thirdly, according to the DIPP they can issue the said order/notification only after the amendment of Bureau of Indian Standards Act, 1986 which, at present is under consideration of the Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs). Evidently, lack of co-ordination coupled with lack of initiative has prevented implementation of the assurance, which is a matter of concern to the Committee. The Committee, therefore, strongly recommend that all the three Ministries should undertake coordinated efforts in this direction. The relevant Statute, i.e. the BIS Act may be amended. The Committee are further concerned to note the use of Phthalate, poisonous and harmful substance used in toys for children. The Committee find it strange to note that there are standards for Hazardous Toys but the same are not mandatory. Moreover, Toys are not listed in the schedule to the Industries Development Regulation Act and the standards cannot be made mandatory at present. The Committee, therefore strongly recommend that the proposed amendment of BIS Act, be brought before the Parliament without any further delay and subsequent action for issuing the notification on Toys & Toy Production (Compulsory Registration Order) 2009 be completed expeditiously.

CHAPTER-III

Ministry of Panchayati Raj

31. The 06 assurances pertaining to the Ministry of Panchayati Raj which were pending implementation at the time of taking oral evidence were as follows :-

S.No.	SQ/USQ No. Dated	Subject
1.	USQ No. 2589 16.12.2004	Transfer of Funds directly to Panchayats
2.	SQ No. 102 05.03.2008	Delegation of Powers to Panchayati Raj Institutions
3.	@USQ No. 248 27.02.2008	Additional Funds for Panchayats
4.	*USQ No. 775 22.10.2008	IT Support to Panchayats
5.	SQ No. 44 18.02.2009	Knowledge Kiosks in Panchayats
6.	USQ No.2428 09.08.2010	Forest Management through Panchayats

@ Implementation Report laid on the Table of the House on 15.12.2011.

* Implementation Report laid on the Table of the House on 22.03.2012.

32. The above mentioned questions alongwith their replies have been reproduced in Appendix-III.

Scrutiny of Pending Assurances pertaining to the Ministry of Panchayati Raj

33. During the oral evidence, the Committee examined all the 06 assurances. Some of these assurances have been dealt with in succeeding paragraphs. These assurances are as follows:-

A. Transfer of Funds directly to Panchayats

USQ No.2589 dated 16 December, 2004 regarding Transfer of Funds directly to Panchayats.

B. Forest Management through Panchayats

USQ No.2428 dated 09 August, 2010 regarding Forest Management through Panchayats.

A. USQ NO. 2589 dated 16.12.2004 Transfer of Funds directly to Panchayats

34. The Committee noted that the assurances regarding transfer of funds directly to Panchayats is pending for the last seven years. The Committee, therefore, desired to know the reasons for the inordinate delay in the implementation of the assurance. In reply, the representative of the Ministry stated as follows:-

"The Implementation Report has been sent. But it was not accepted. We are working on the Final Report. We will give it by the end of this month, if not earlier"

35. The Committee failed to understand the delay of seven years and asked whether the Ministry has finally decided to transfer Central Funds directly to the Panchayati Raj Institutions or not. In reply, the representative of the Ministry stated as follows:-

"Transferring funds directly to the Panchayati Raj Institutions would not be possible. We have to root it through the States Consolidated Fund."

36. The Committee were still not satisfied with the above explanation and desired to know specific reasons for the delay of seven years in the implementation of the assurance. In reply, the representative of the Ministry stated as follows:-

"We are answering. The initial report that was given was not acceptable. We are sending a revised report it will reach you very shortly, but definitely before the month is over."

37. The Committee further enquired whether they were aware of the Manual brought out by the Ministry of Parliamentary Affairs and the directions contained therein regarding periodic review of the assurances and to have specific Persons/Officers to monitor the timely implementation of assurances. In reply, the representative of the Ministry stated:-

"I have read it."

38. The Committee pointed out that had the said directions followed in letter and spirit, the inordinate delay of seven years could have been avoided and the said assurance would have been implemented within seven weeks instead of seven years. In reply, the representative of the Ministry stated as follows:-

"I apologise I do see that the Ministry has really no excuse to keep the Parliamentary assurances pending for as long as seven years. The answer is fairly simple..... I assure you that we will give it very soon, latest by the 30th of May, 2012".

39. The Implementation Report was finally submitted by the Ministry of Panchayati Raj on 14 May, 2012 in which the Ministry stated as follows:-

"The matter of fund transfer and fund tracking to Panchyat was discussed in the Sixth Round Table Conference of Ministers in charge of Panchyati Raj Departments. This has been forwarded to the State Governments for implementation. In order to expedite fund transfer to Panchyats the following provision has been made under BRGF which is implemented by Ministry of Panchayati Raj:-

The BRGF funds will be transferred to the consolidated Funds of State Governments. Those funds that are to be transferred to Panchyats and Municipalities by the State Governments will be transferred to their bank accounts, following the same stipulations as prescribed for the devolution of 12th Finance Commission Grants, namely, within 15 days of the release of funds to the Consolidated Fund. Further, it has been stipulated that in case of delay in transfer of funds by the State Governments beyond the 15 days period, a penal interest @ equal to bank rate shall be required to be transferred by the State Governments to PRIs/ULBs along with such delayed transfer of fund. It is, however, not feasible to release funds to the Panchayati Raj Institutions directly by passing the State Governments."

OBSERVATIONS / RECOMMENDATIONS

40. The Committee note that the assurance given in reply to USQ NO. 2589 dated 16.12.2004 on the transfer of funds directly to the Panchayats has been pending for the last seven years. On being asked about the delay of such a long period in the implementation of the assurance the representative of the Ministry could not give a satisfactory reply. The representative of the Ministry also admitted that they had no excuses to keep the Parliamentary assurances pending for as long, as a period of seven years. The Committee also found that the Ministry was aware of the provisions/directions contained in the Manual of the Ministry of Parliamentary Affairs, but the said directions were never followed by them. This only shows the lackadaisical approach of the Ministry in handling the assurance. It was only after the Committee's intervention that the Ministry of Panchayati Raj swung into action and submitted the Implementation Report of the assurance. The Committee desire that foolproof measures be initiated urgently to avoid such unfortunate delays in the implementation of the pending assurances in future. The Committee also recommend that the directions contained in the Manual of the Ministry of Parliamentary Affairs be followed in letter and spirit.

B. USQ No.2428 dated 09 August, 2010 regarding Forest Management through Panchayats

41. In reply to USQ 2428 dated 9 August, 2010 it was stated that the Ministry of Panchayati Raj and the Ministry of Environment and Forests in tandem were working out modalities to establish appropriate linkages on issues related to forests and Gram Panchayats. The Committee therefore, in the first instance desired to know the steps taken by the Ministry of Panchayati Raj for giving control of Forest Management to the Panchayats. In reply, the representative of the Ministry stated as follows:-

"We have answered.....the Implementation Report has been accepted. The Committee had desired that Officers from the Ministry of Environment and Forests also to be called. They are here."

42. The Committee therefore desired to know from the representative of the Ministry of Environment and Forests about the steps taken by them for the implementation of the assurance. In reply, the representative of the Ministry stated as follows:-

"Madam on 29 October, 2010 the Ministry of Environment and Forests wrote a letter to all the Chief Ministers that JFMC, the Joint Forests Management Committees, should be brought under the overall supervision of Gram Sabha.....following that letter, many States have come forward and taken action on that. For example, Maharashtra recently changed the resolution on the Joint Forests Management and identified and recognized JFMCs under section 49 of the Bombay Panchayat Act. Other States are also recognizing the JFMCs.....in addition to that the Ministry is launching, a programme, Green India Mission.....so we are alive to the issue and taking steps in this regard."

43. The Committee on hearing the above views of the Ministry of Environment and Forests noted that no concrete steps have been taken except issuance of one letter and thereafter the State Government of Maharashtra have done a little. The Committee also pointed out that the Ministry of Panchayati Raj have put the onus on the Ministry of Environment and Forests, they therefore, desired to know the action taken by the Ministry of Panchayati Raj in this regard. In reply, the representative of the Ministry of Panchayati Raj stated as follows:-

"We have taken up because of our persuasion with the Ministry of Environment and Forests.....now it is for the State Governments to amend their Acts to give effect to the Committees becoming part of it".

44. The Committee however desired to know about the steps taken by the Ministry of Panchayati Raj to persuade the State Governments to make necessary changes for

empowering the JFMCs. The Committee also pointed out that the Ministry of Panchayati Raj has left the implementation of the assurance on the Ministry of Environment and Forests whereas the Panchayat Act falls under the Ministry of Panchayati Raj itself and ever since the assurance was given on the floor of the House, the Ministry of Panchayati Raj has not issued even a single letter or taken any steps for implementing the assurance. In reply, the representative of the Ministry stated as follows:-

"The States Panchayat Act have to be changed. Madam, we are persuading with the States".

45. The Committee were not satisfied with the above explanation and desired that they be apprised of the steps taken to persuade the States to amend the Panchayat Act for empowering JFMCs and directed that the Implementation Report of the assurance be withdrawn and amended as directed by them.

46. Subsequently, the Ministry of Panchayati Raj in a post evidence note dated 18 May, 2012 apprised the Committee as follows:-

"In addition to letter of Hon'ble Minister of Environment and Forests, the Ministry of Panchayati Raj has also written to State Governments regarding placement of Joint Forests Management Committees (JFMCs) under Gram Sabha/Gram Panchayats. Letters dated 23 February, 2011, 15 June, 2011 and 07 July, 2011 have been sent by the Ministry of Panchayati Raj to Principal Secretaries/Secretaries, Panchayati Raj Department of all States/UTs. The Ministry of Panchayati Raj has commissioned a study by Enviro Legal Defence Firm (ELDF) on compliance of State Panchayati Raj laws and other subject laws with the provisions of PESA. Reports in respect of all nine states are completed. In these reports, the State Panchayati Raj laws and other subject laws have been analyzed in the light of the provision of Panchayats (Extension to Scheduled Areas) Act, 1996 (PESA) and various amendments have been proposed. Reports are being shared with the States with the request to make necessary amendments, frame rules, etc. Andhra Pradesh and Himachal Pradesh have framed and notified PESA Rules. The Ministry of Panchayati Raj is pursuing the matter with other States".

OBSERVATIONS / RECOMMENDATIONS

47. The Committee note that the assurance given in reply to Unstarred Question No. 2428 dated 09 August, 2010 regarding Forest Management through Panchayats is pending since August, 2011. The assurance involved in the reply was that the Ministry of Panchayati Raj and the Ministry of Environment and Forests were working out modalities to establish appropriate linkages on issues related to forests and gram panchayats. However, contrary to the assurance given on the floor of the House the Ministry of Panchayati Raj virtually transferred the onus of implementation of the above assurance entirely on the Ministry of Environment and Forests and took no concrete steps to implement the same. The Ministry of Environment and Forests on their part issued just one communication to the State Governments for amending the States Panchayat Act for empowering the JFMCs and except the State Government of Maharashtra no other State virtually took any step to amend their Panchayat Acts. However, in a post evidence note, the Ministry of Panchayati Raj maintained that in addition to a letter of Minister of Environment and Forests, the Ministry of Panchayati Raj had written letters on 23 February, 2011, 15 June, 2011 and 7 July, 2011 to the State Governments regarding placement of JFMCs under Gram Panchayats and also commissioned a study by Enviro Legal Defence Firm on compliance of State Panchayati Raj laws etc. The Ministry also assured the Committee that they are pursuing the matter with the States. The Committee, desire that the Ministry of Panchayati Raj should take expeditious action to get the Implementation Report on the assurance laid on the Table of the House at the earliest indicating the precise and conclusive action taken in the matter. The Committee also strongly recommend that all necessary steps be taken to avoid inordinate delays in the implementation of the assurances in future.

NEW DELHI;

30 August; 2012

Bhadrapada 8, 1934 (Saka)

**MANEKA GANDHI
CHAIRPERSON**

COMMITTEE ON GOVERNMENT ASSURANCES

GOVERNMENT OF INDIA

MINISTRY OF STEEL

LOK SABHA

UNSTARRED QUESTION NO 728

ANSWERED ON 09.07.2009

SUSPENSION OF OPERATIONS BY VISL

728 . Shri BASUDEB ACHARIA

Will the Minister of STEEL be pleased to state:-

(a) whether the operations in Kemmangundi iron ore mines at Karnataka allocated to Visvesvaraya Iron and Steel Ltd. (VISL) has been suspended under the direction of Ministry of Environment and Forests;

(b) if so, the details thereof;

(c) whether VISL has sought permission from the Government for leasing of captive iron ore mine at Karnataka;

(d) if so, the details thereof; and

(e) the action taken/proposed to be taken to ensure availability of iron ore to this Public Sector Undertaking?

ANSWER

MINISTER OF THE STATE IN THE MINISTRY OF STEEL (SHRI A. SAI PRATHAP)

(a) Yes, Sir.

(b) The iron ore mine at Kemmangundi allotted to Visvesvaraya Iron and Steel Plant (VISP) was in operation since its inception in 1923. This mine, located in the proximity of Bhadra Wildlife Sanctuary, was closed in the year 2004 on the directions of the Ministry of Environment and Forests.

(c)to(e): Yes, Sir. VISP had applied for the allotment of a mining lease (area 140 Ha) in NEB Range, Sandur Taluk, Bellary District on 24.1.2007. The Government of Karnataka had recommended to the Ministry of Mines, Government of India that the area be reserved for the Steel Authority of India Limited (SAIL). Against the recommendation of the State Government, some of the applicants filed revision applications with the Ministry of Mines, Government of India. The final decision is awaited. The issue has been taken up with the Ministry of Mines for an early decision.

GOVERNMENT OF INDIA
MINISTRY OF STEEL
LOK SABHA
UNSTARRED QUESTION NO 4601
ANSWERED ON 06.08.2009
ACQUIREMENT OF STAKE BY NMDC

4601 SUPRIYA SULE

Will the Minister of STEEL

be pleased to state:-

(a) whether the Government has asked the National Mineral Development Corporation (NMDC) to acquire stake in the ailing Kudremukh Iron Ore Company Limited (KIOCL) and has constituted a Committee to suggest ways for similar moves in other Public Sector Undertakings (PSUs);

(b) if so, whether the Government has received the report of the Committee; and

(c) if so, the recommendations made therein and the steps being taken by the Government thereon?

ANSWER

MINISTER OF THE STATE IN THE MINISTRY OF STEEL (SHRI A. SAI PRATHAP)

(a)to(c): A Committee has been constituted by the Ministry of Steel in May, 2009 to study the structure and functioning of MSTC, FSNL, KIOCL and HSCL and to suggest measures to achieve sustainable profits, enhanced business presence, diversification as well as re-organisation or merger with other companies with a view to optimizing efficiency and profitability. The Committee has not submitted.

GOVERNMENT OF INDIA
MINISTRY OF STEEL
LOK SABHA
UNSTARRED QUESTION NO 3186
ANSWERED ON 15.04.2010
ALLOCATION OF CAPTIVE IRON ORE MINES FOR STEEL PLANTS

3186. Shri S. PAKKIRAPPA

Will the Minister of STEEL be pleased to state:-

- (a) whether the steel plants both public and private sector have been allotted captive iron ore mines for their use;**
- (b) if so, the details of the mines allotted to each steel plant;**
- (c) whether certain steel plants export excess iron ore;**
- (d) if so, the details thereof;**
- (e) whether the Government has any control over such export; and**
- (f) if so, the details thereof?**

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF STEEL (SHRI A. SAI PRATHAP)

(a)&(f): The information is being collected and will be laid on the table of the Lok Sabha

GOVERNMENT OF INDIA
MINISTRY OF STEEL
LOK SABHA
UNSTARRED QUESTION NO 5661
ANSWERED ON 29.04.2010
SHIFTING OF STEEL PROJECTS

5661 Shri BHOLA SINGH

Will the Minister of STEEL be pleased to state:-

- (a) whether a number of proposed steel projects of Jharkhand and Orissa are considering to shift to other parts of the country;
- (b) if so, the reasons therefor;
- (c) the details of steel projects in the country which could not commence production in time due to various reasons, State-wise;
- (d) the schemes being formulated by the Government to overcome the problems being faced by the said steel projects; and
- (e) if so, the details thereof?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF STEEL (SHRI A. SAI PRATHAP)

(a)to(c): The information is being collected from the respective State Governments and will be laid on the table of the Lok Sabha.

(d)&(e): Steel sector in the country is deregulated and Government does not exercise any control over production, sale and price of steel products. The role of Government is that of a facilitator for an overall and healthy growth of steel sector in the country. In order to monitor and coordinate various issues, including state related issues concerning major steel investments in the country, an Inter Ministerial Group (IMG) has been constituted in the Ministry of Steel, under the Chairmanship of Secretary (Steel). The group is represented by other Ministries/ Department of the Central Government such as Industrial Policy & Promotion, Railways, Shipping, Road Transport & Highways, Mines, Environment & Forests, as well as the Chief Secretaries of the concerned State Governments.

The main terms of reference (ToR) of the IMG are to review and coordinate measures for early completion of the major steel capacities and to address various problems concerning: for infrastructure, raw material, environmental clearance and land, water resources and rehabilitation

GOVERNMENT OF INDIA
MINISTRY OF STEEL
LOK SABHA
UNSTARRED QUESTION NO 3205
ANSWERED ON 12.08.2010
PRODUCTION OF STEEL

3205 . Shri EKNATH MAHADEO GAIKWAD

KHATGAONKAR PATIL BHASKARRAO BAPURAO
PRADEEP KUMAR MAJHI

Will the Minister of STEEL be pleased to state:-

- (a) the details of contribution of Steel Sector in Gross Domestic Production and the number of persons employed in the country;
- (b) the details of the contribution of steel sector to national exchequer during 2009-10;
- (c) whether a Committee has reviewed the structuring, functioning and objectives of Hindustan Steel Works Construction Ltd., MSTC, Ferro Scrap Nigam Ltd. and Kudremukh Iron Ore Company Ltd. and submitted its report;
- (d) if so, the details of the recommendations made by the said Committee; and
- (e) the action taken by the Government on these recommendations?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF STEEL (SHRI A. SAI PRATHAP)

(a) Steel Sector contributes nearly 2 % of Gross Domestic Product (GDP) and employs over 5 lakh persons.

(b) The Public Sector Undertakings and Companies under the administrative control of the Ministry of Steel have made a contribution of about Rs.17000 crore (unaudited provisional estimate) to the national exchequer during 2009-10. The Ministry of Steel do not maintain similar data in respect of the private steel sector; steel sector being a deregulated sector.

(c) Yes, Madam. The Committee has submitted its report to the Government on 2nd September, 2009.

(d) Major recommendations made by the Committee are given below:

Hindustan Steelworks Construction Limited (HSCL): HSCL should exist an independent entity with due strengthening by the Government of India which will have a defining role in execution and development of Steel Sector as well as infrastructure projects in the country.

MSTC Limited:

(i) The present business model be reviewed by Board/Government and suitable instructions may be issued to the company for compliance. MSTC should regain its core activity i.e. trading, both domestic and international in physical terms and not just financing as is being done at present. MSTC must stop providing working capital in an unsecured way in a phased manner.

(ii) The Board of Directors of MSTC may review Memorandum of Agreement, commercial policy, existing business model and Delegation of Power of MSTC.

(iii) The skill upgradation and necessary human resource development program which are tailor-made for MSTC through institutions like Indian Institute of Management (IIM), Kolkata and Indian Institute of Foreign Trade (IIFT) need to be implemented.

(iv) There is an urgent need to create market intelligence and business development so that the company constantly reviews the market situation to orient its process in terms of market situations, prices it on a content basis.

(v) MSTC has definite potential to increase its performance in core areas and also by increasing its activities through sustained marketing efforts and going ahead with proposed business ventures after their viability is established. Since investment in stockyard in Haldia Port has been made, there is a need to speed up the shipyard activity to get adequate return on investment.

(vi) MSTC must take advantage of the status given by Commerce Ministry as nominated agency and to do actual trading in gold.

Ferro Scrap Nigam Limited (FSNL): FSNL should be made a standalone company with equal equity participation of SAIL, RINL and MSTC.

Kudremukh Iron Ore Company Limited (KIOCL): The better option for KIOCL is to continue on standalone basis with a capex plan to improve viability of its pellet plant and blast furnace, alongwith certain strategic measures to be adopted in the company.

(e) The action taken on the recommendations are mentioned below:-

Hindustan Steelworks Construction Limited (HSCL): A restructuring-cum-revival is under consideration in consultation with the concerned Ministries/Departments.

MSTC Limited: MSTC has been advised to initiate action on the recommendations of the Committee.

Ferro Scrap Nigam Limited (FSNL): It has been decided that status quo should be maintained in respect of FSNL keeping in view the satisfactory working in existing structure.

Kudremukh Iron Ore Company Limited (KIOCL): Various measures to enable KIOCL to continue as a standalone company are being pursued and these are being closely monitored by the Government.

The Ministry of Steel aim to improve the functioning of its PSUs which is a continuous process. It is in that spirit the Committee was set up. The process of taking decisions as well as implementation of the recommendations of the Committee requires consultation with the other concerned Ministries/Departments/Agencies and the concerned PSUs. It also requires completion of various legal and procedural steps some of which may require decision and action by other Ministries and Departments. Hence, a definite time limit for implementation of the recommendations can not be fixed.

GOVERNMENT OF INDIA
MINISTRY OF STEEL
LOK SABHA
UNSTARRED QUESTION NO 3800
ANSWERED ON 02.12.2010

SETTING UP OF IRON ORE MINES AND STEEL PLANTS IN M.P.

3800 . Shri SHIVRAJ BHAIYA

Will the Minister of STEEL be pleased to state:-

(a) whether a number of proposals of the Government of Madhya Pradesh, seeking environment and forests related clearances and land acquisition to set up iron ore mines as well as steel plants in the State are lying pending with the Union Government;

(b) if so, the details thereof;

(c) whether the Union Government has received any proposal for the setting up of steel plant near iron ore mines located in forest areas of the country;

(d) if so, whether the Union Government has taken any steps to set up steel plant near iron ore mines in Madhya Pradesh; and

(e) if so, the details thereof?

ANSWER

MINISTER OF THE STATE IN THE MINISTRY OF STEEL (SHRI A. SAI PRATHAP)

(a)&(b): The information is being collected from the State Governments & concerned Ministries and will be laid on the table of the Lok Sabha.

(c)to(e): Steel sector in the country is currently deregulated. Therefore, proposals for setting up of new steel units do not require any approval of the Central Government. The individual investors are free to decide on the location of the plant, subject to other statutory clearances

MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES

LOK SABHA

UNSTARRED QUESTION NO 3356

ANSWERED ON 28.07.2009

PROMOTION OF MSME PRODUCTS

3356 Shri SAMBASIVA RAYAPATI RAO

Will the Minister of MICRO, SMALL AND MEDIUM ENTERPRISES be pleased to state:-

(a) whether there is any proposal to formulate a policy for promoting the sale of products by the Micro, Small and Medium Enterprises; and

(b) if so, the details thereof?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) FOR MICRO, SMALL AND MEDIUM ENTERPRISES
(SHRI DINSHA PATEL)

(a)&(b): For promoting the sale of products by the micro, small and medium enterprises (MSMEs), the Government is implementing several schemes/ programmes like Market Development Assistance Scheme, Vendor Development Programme, Buyer-cum-Seller Meets, training programme on Packaging for Exports, etc. In addition, as per existing policy, 358 items are reserved for exclusive purchase by the Central Ministries/ Departments/ Public Sector Undertakings from micro and small enterprises (MSEs). Further, the MSEs registered under the Single Point Registration Scheme of National Small Industries Corporation are provided various facilities like tender sets free of cost, exemption from deposit of earnest money, etc. The Government has also initiated steps for formulating a procurement policy for MSEs, as envisaged under the Micro, Small and Medium Enterprises Development Act, 2006, in consultation with the Ministries/ Departments concerned.

GOVERNMENT OF INDIA
MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES
LOK SABHA
UNSTARRED QUESTION NO 810
ANSWERED ON 02.03.2010
HAZARDOUS TOYS

810 . Shri NEERAJ SHEKHAR

M. JAGANNATH

Will the Minister of **MICRO, SMALL AND MEDIUM ENTERPRISES** be pleased to state:-

- (a) whether the Government is aware that many indigenous and foreign made toys contain hazardous contents including phthalates;
- (b) if so, the details thereof; and
- (c) the details of the steps taken by the Government to regulate the manufacturing and import of toys and address the issue of hazardous contents therein?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) FOR MICRO, SMALL AND MEDIUM ENTERPRISES (SHRI DINSHA PATEL)

(a) to (c) The Bureau of Indian Standards (BIS) has brought out IS 9873 (Part 1)–Safety aspects related to Mechanical and Physical properties, IS 9873(part 2) – Safety requirements for toys– Flammability Test and IS 9873 (part 3) – Safety of Toys – Migration of certain elements for checking the quality of Toy products manufactured in the country. However, these standards are not mandatory for the toy manufacturing enterprises. Toys could not be brought under the licence scheme of the Bureau of Indian Standards since they are not listed in Schedule I of the Industries Development and Regulation (IDR) Act 1951. The Ministry of Consumer Affairs, Food and Public Distribution has, however, now notified a new conformity assessment scheme (referred as Registration Scheme) within the existing Bureau of Indian Standards Act by amendments to the BIS Rules. This scheme provides, inter-alia, for compulsory registration and self-declaration of conformance to the relevant Indian standards by manufacturers of any article notified by the Government. The Government is examining to bring toy products under the purview of this scheme to address the issue of safety and hazardous content of indigenous and foreign made toys.

GOVERNMENT OF INDIA
MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES
LOK SABHA
UNSTARRED QUESTION NO 3179
ANSWERED ON 16.03.2010
PURCHASE POLICY MSME

3179 . Shri VISHWA MOHAN KUMAR

FEROZE VARUN GANDHI

Will the Minister of MICRO, SMALL AND MEDIUM ENTERPRISES be pleased to state:-

- (a) whether there is any proposal to introduce a new purchase policy for Micro, Small and Medium Enterprises (MSMEs), whereby the Government departments and Ministries would make certain amount of purchases annually;**
- (b) if so, the details thereof;**
- (c) whether there is any proposal to set-up Business Development Centres and facilitation centres at the districts and Taluka level on public-private partnership; and**
- (d) if so, the details thereof?**

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) FOR MICRO, SMALL AND MEDIUM ENTERPRISES (SHRI DINSHA PATEL)

(a)&(b): A proposal for a comprehensive Procurement Preference Policy to benefit the Micro & Small Enterprises (MSEs) is under finalization.

(c) & (d) The Task Force on Micro, Small and Medium Enterprises (MSMEs) has recommended strengthening of the District Industries Centres for, inter alia, providing business development and facilitation services with involvement of private sector, wherever feasible. The detailed recommendations of the Task Force are available on the web site www.dcmsme.gov.in.

GOVERNMENT OF INDIA
MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES
LOK SABHA
STARRED QUESTION NO 137
ANSWERED ON 03.08.2010
PROCUREMENT POLICY FOR MSME

137 . Shri BAIDYANATH PRASAD MAHTO

HARSH VARDHAN

Will the Minister of **MICRO, SMALL AND MEDIUM ENTERPRISES** be pleased to state:-

- (a) whether the Government has finalised the Procurement Preference Policy for Micro, Small and Medium Enterprises (MSMEs);
- (b) if so, the details thereof;
- (c) whether some Government agencies have expressed their objections towards the said policy;
- (d) if so, the details thereof and the reaction of the Government thereto; and
- (e) the share of the MSME products in export and manufacturing sectors of the country during the last three years and the current year?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) FOR MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES(SHRI DINSHA PATEL)

(a) to (e): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN THE REPLY TO PARTS (A) TO (E) IN RESPECT OF THE LOK SABHA STARRED QUESTION NO.137 FOR ANSWER ON 03-08-2010

(a) to (d): A proposal for a comprehensive Public Procurement Policy to benefit the micro and small enterprises (MSEs) is under finalization in consultation with the Ministries/ Departments concerned.

(e): The share of MSEs in exports and manufacturing output during 2007-08 (latest available) is estimated at 30.80 per cent and 45.24 per cent respectively. The share of medium enterprises in exports and manufacturing output during 2007-08 is not available.

GOVERNMENT OF INDIA
MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES
LOK SABHA

UNSTARRED QUESTION NO 3242

ANSWERED ON 30.11.2010

PURCHASE FROM ENTERPRISES BELONGING TO SCS STS

3242 . Muhammed HAMDULLA A. B. SAYEED

Will the Minister of **MICRO, SMALL AND MEDIUM ENTERPRISES** be pleased to state:-

- (a) whether any instructions have been issued making it mandatory that 30% of purchases made by the Central Government offices should be through the Micro, Small and Medium Enterprises belonging to the SCs/STs;
- (b) if so, the details thereof; and
- (c) if not, the reasons therefor?

ANSWER

MINISTER OF THE STATE (INDEPENDENT CHARGE) IN THE MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES (SHRI DINSHA PATEL)

(a) to (c): A proposal for a comprehensive Public Procurement Policy to benefit the Micro and Small Enterprises (MSEs) is under finalization

GOVERNMENT OF INDIA
MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES
LOK SABHA
UNSTARRED QUESTION NO 2511
ANSWERED ON 10.03.2011
GROWTH OF MSME SECTOR

2511 . Shri NITYANANDA PRADHAN

BAIJAYANT PANDA

Will the Minister of **MICRO, SMALL AND MEDIUM ENTERPRISES** be pleased to state:-

- (a) the current financial status of the Micro, Small and Medium Enterprises (MSMEs) sector in the country and its overall contribution to industrial growth;
- (b) whether the Government proposes to grant 20% quota to this sector in procurement orders footed by the Public Sector Undertakings to strengthen their financial position;
- (c) if so, the details thereof;
- (d) whether the Government also proposes to grant some other incentives to MSMEs across the country including those in the Eastern sector for securing balanced development; and
- (e) if so, the details thereof?

ANSWER

MINISTER OF MICRO, SMALL AND MEDIUM ENTERPRISES (SHRI VIRBHADRA SINGH)

(a) As per 4th All India Census of Micro, Small and Medium Enterprises (MSMEs), production and fixed investment of registered MSME Sector was Rs. 7,07,510 crore and Rs. 4,49,138 crore, respectively in 2006-07. Based on the National Accounts Statistics published by Central Statistics Office(CSO), the contribution of micro, small and medium enterprises (MSMEs) in the total industrial production of the country was estimated to be 44.86% in 2008-09.

(b)&(c) The proposal in this regard is under the consideration of the Government.

(d)&(e) The Government is implementing various schemes / programmes relating to credit, infrastructural development, technology up-gradation, marketing, entrepreneurial and skill development for assisting MSME sector in the country including in Eastern Region. Some of the major schemes / programmes being implemented are Credit Guarantee Scheme, Credit Linked Capital Subsidy Scheme, Performance and Credit Rating Scheme, Cluster Development Programme, National Manufacturing Competitiveness Programme, Prime Minister`s Employment Generation Programme (PMEGP) and Marketing Development Assistance Scheme.

GOVERNMENT OF INDIA
MINISTRY OF PANCHAYATI RAJ
LOK SABHA
UNSTARRED QUESTION NO 2589
ANSWERED ON 16.12.2004
TRANSFER OF FUNDS DIRECTLY TO PANCHAYATS

2589 Shri **SAMBASIVA RAYAPATI RAO**

TATHAGATA SATPATHY

Will the Minister of PANCHAYATI RAJ be pleased to state:-

- (a) whether the Government has finally decided to transfer Central funds directly to the Panchayati Raj Institutions (PRIs);**
- (b) if so, whether this decision was taken after the Prime Minister address to Chief Ministers that to strengthen the Panchayati Raj system direct funding will be provided to the Panchayats to remove the poverty elevation in the country;**
- (c) if so, whether any concrete programme of action in this regard has been worked out; and**
- (d) if so, the details thereof and the time by which a final decision is likely to be taken in this regard?**

ANSWER

MINISTER OF PANCHAYATI RAJ (SHRIMANISHANKARAIYAR)

(a) No Sir.

(b) Does not arise.

(c) & (d) In terms of the provisions of National Common Minimum Programme, the transfer of funds to the Panchayats without delay or diversion, and under strict monitoring, is being considered in consultation with the State Governments and has been a focus of attention at the Round Tables being organized with Panchayati Raj Ministers to consider the different dimensions of Panchayati Raj.

GOVERNMENT OF INDIA
MINISTRY OF PANCHAYATI RAJ
LOK SABHA
STARRED QUESTION NO 102
ANSWERED ON 05.03.2008
DELEGATION OF POWERS TO PANCHAYATI RAJ INSTITUTIONS

102 . Shri SHRINIWAS DADASAHEB PATIL

Will the Minister of PANCHAYATI RAJ be pleased to state:-

- (a) whether all the States have delegated powers to the Local Self-Governments as envisaged in the Seventy-third Constitutional Amendment;
- (b) if so, the details thereof;
- (c) whether the Union Government has studied the functioning of these Local Self- Governments after the delegation of powers; and
- (d) if so, the details thereof and the steps taken by the Government in respect of the States where the powers have not been delegated to the Panchayati Raj Institutions?

ANSWER

MINISTER OF PANCHAYATI RAJ (SHRI MANI SHANKAR AIYAR)

(a) to (d): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN PARTS (a), (b), (c) and (d) OF LOK SABHA STAR QUESTION NO. 102, DUE FOR REPLY ON 05.03.2008, REGARDING DELEGATION OF POWERS TO PANCHAYATI RAJ INSTITUTIONS

(a): All 24 States to which the provisions of Part IX of the Constitution applies have enacted Panchayati Raj legislation, which inter-alia, provides for the devolution of powers and responsibilities upon Panchayats at the District, Intermediate and Village levels. However, this formal devolution through State legislation needs to be translated into the actual transfer of activities relating to such devolved functions to Panchayats at different levels through executive orders, instructions and administrative arrangements. Such transfer of powers and responsibilities will need to be matched with the corresponding transfer of funds and functionaries, so that Panchayats can perform their roles as institutions of self-government in the spirit of the 73rd Constitutional Amendment. The position in this regard varies from State to State.

(b): Details are annexed.

(c) & (d) Since Panchayati Raj is essentially a State subject, the Ministry has worked closely with States to develop and operationalise a national consensus on the measures to be taken to strengthen Panchayati Raj and ensure that Panchayats function as institutions of self- government as envisaged in Part IX of the Constitution. Such a consensus, arrived at through detailed consultations with States through seven Round Tables of State Ministers of Panchayati Raj held between July and December 2004, touches upon the effective devolution of functions, finances and functionaries, planning, empowerment of Gram Sabhas, issues relating to reservation for SCs/STs, and women, elections, maintenance of accounts and audit, Panchayats vis-à-vis parallel bodies, capacity building and training of elected representatives, preparation of a State of the Panchayats Report and work on Panchayati Raj jurisprudence. The consensus decisions are reviewed through a host of consultations, review meetings and intensive tours to States and Panchayats. The Ministry of Panchayati Raj regularly assesses the ground realities regarding the devolution of powers and responsibilities upon Panchayats through the institutional mechanism of meetings of the Council of State Ministers of Panchayati Raj, the Committee of Chief Secretaries of States and Panchayati Raj Secretaries and the Empowered Sub-Committee of National Development Council on Administrative and Financial Empowerment of PRIs. State-specific road maps for devolution of powers and responsibilities to Panchayats have been arrived at following intensive tours by the Union Minister of Panchayati Raj, in respect of twenty two States and Union Territories. This road map, contained in a Statement of Conclusions jointly signed with the Chief Minister of the State concerned, highlights the key points of action on which the State would move to operationalise the recommendations of the Round Tables with a special focus on devolution of funds, functions and functionaries to Panchayats.

In 2006-07, the Ministry of Panchayati Raj undertook a Mid-term Review and Appraisal of the State of the Panchayats based on information sourced from State Governments/UT Administrations in fulfillment of the commitment made by the Ministry at the Fourth Round Table of Panchayati Raj Ministers held in Srinagar in October 2004. This Report was tabled in both Houses on 23 November, 2006 and debated in the Lok Sabha in December, 2006.

During 2007-08, the Ministry has entrusted to the Institute of Rural Management, Anand the task of undertaking an independent assessment of the State of Panchayati Raj in States and UTs, which would, inter-alia, contain independent assessments of States in respect of the scope and ambit of empowerment of Panchayats. The Ministry of Panchayati Raj has also commissioned studies by independent agencies on the role and functioning of Panchayats. Three final and two draft reports have been received. These are being examined. The independent Evaluation is likely to be tabled in both Houses during the second half of the current Budget Session.

State laws express the mandate on the functions and activities devolved to the Panchayats in different modes. They might contain elaborate provisions laying out the details of functions

assigned to Panchayats, or undertake it through a schedule to the State law, or through a combination of both approaches. This causes some element of non-standardization in the reporting of the devolution of functions by States. While some tend to report a high range of devolution, by counting individual activities assigned under law separately as 'subjects' devolved, others tend to give reports in terms of 'departments' devolved.

It is a common experience that legislative devolution by States often remains on paper and needs to be followed up with executive orders, which not only mandate the devolution of functions but also devolves requisite finances and place functionaries with the Panchayats for effective performance of the devolved functions. For instance a 'function' may be devolved through the law and activities through activity mapping, which together, on the face of it, may put in place a measure of accountability of the department employees concerned to Panchayats. However, because of no changes being made in long established codes prescribing technical standards and approval processes (such as the PWD code), circulars, OMs, transfer orders etc, implementation might still default to continue to vest with line Departments concerned. It is therefore important, both from a point of view of conceptual clarity as also to permit comparisons between States, to maintain the distinction between 'activities', 'subjects' and 'departments' when analyzing functional devolution. Consequently, the Ministry of Panchayati Raj, in parallel with the preparation of the 'State of the Panchayats Report – an independent assessment', has commenced undertaking a nuanced and critical analysis of functional devolution to Panchayats in States, which is considering all these aspects in detail. This process has been completed for Haryana, Himachal Pradesh, Karnataka, Madhya Pradesh, Orissa, Rajasthan, Sikkim, Tamilnadu and West Bengal. Comments of States to these detailed assessments are being obtained.

The Ministry has also conceived of a Panchayat Empowerment and Accountability Incentive Scheme, which aims to provide incentives to States to empower Panchayats through the devolution of functions, funds and functionaries.

Annexure

Annexe-1A

Sl.No.	State	Transfer of Subjects through Legislation Mapping	Devolution of Functions Subjects Covered under Activity	Comments
1.	Andhra Pradesh	17	9	Activity Mapping
2.	Assam	29	22	Activity Mapping
3.	Arunachal Pradesh		3	Activity Mapping
4.	Bihar	25	25	Committee looking
5.	Chhattisgarh	29	27	Activity Mapping
6.	Goa	21	18	The Act itself extensively lists out the powers given to the
				Panchayats. In a sense, this itself constitutes activity mapping, though a separate exercise is also under way.
7.	Gujarat	15	14	Activity mapping
8.	Haryana	Zila Panchayat-Only	28	In February 2006, 28 subjects.
		advisory, supervision		be
		and coordination powers		that PRIs were not
		ascertained. A study by an NGO across 5 districts showed		
		Intermediate Panchayat-27		
		Gram Panchayat-25		
9.	Himachal Pradesh	29	26	General
		notification on devolution of functions issued for 15		departments in
		July, 1996. However, only 8 of these have further		issued
		notifications.		
10.	Jharkhand	No elections held to Panchayats		
11.	Karnataka	Zila Panchayat-26	29	Activity Mapping
		completed in accordance with the recommendations		of the GOI task
		Intermediate		
		Panchayat-27 Gram		
		Panchayat-25		

12.	Kerala	26	26	Responsibility
mapping undertaken is now being revisited, 18				departments are
covered				
13.	Madhya Pradesh	Zila Panchayat-7	25	18 matters have
been devolved to Gram Sabhas. Executive orders have				been issued for 25
Intermediate Panchayat-17				
matters. The State is revisiting activity mapping.				Funds and
Gram Panchayat-8				
functionaries have been devolved for 19 matters.				Activities
14.	Maharashtra	18	18	So far only
devolved to Panchayats are listed in the Act itself				have issued
15.	Manipur	22	22	functionaries to
departments of RD&PR, C&I, Fisheries and Art and culture				Activity Mapping
departmental notifications for devolving funds and				issue of orders by
Panchayats.				available.
16.	Orissa	Zila Panchayat-16	18	Devolution orders
document was issued in October 2005. Information on				2003. Now activity
Intermediate Panchayat-5				awaits government
departments concerned in post 2005 period is not				
Gram Panchayat-21				Executive Orders
17.	Punjab	7	6	subjects, however, these have been
were issued in respect of 6 departments in October				i.e.,
mapping has been completed for 29 matters and				communication.
approval.				finalized its
18.	Rajasthan	Zila Panchayat-22	28	A study has been
have been issued between 2001 and 2003 for 28				status of
Intermediate Panchayat-25				Activity mapping
held in abeyance for one subject,				2006. Executive
Gram Panchayat-26				of them for
roads, culverts, bridges, waterways and other means of				Activity Mapping
The State Government has revisited the issue and has				Chairpersonship of
report on activity mapping. A final decision is awaited.				administration set
commissioned by Ministry of Panchayati Raj on the				Government orders
financial assignment to Panchayats.				departments
19.	Sikkim	Zila Panchayat-15	18	Functions relating
completed and notified by the Government in November				Panchayats.
Gram Panchayat-18				Government
orders have been issued for all 29 matters, a number				Activity mapping
promotional activities.				not issued their
20.	Tamil Nadu	29	21	18 matters have
to be undertaken. A high level committee under				completed in
the Minister for Rural Development and local				
up				
21.	Tripura	29	21	
devolving functions to Panchayats ready for 12				
22.	Uttar Pradesh	12		
to 12 departments have been transferred to				
Activity mapping is still under the consideration of the				
23.	Uttarakhand	14	9	
was issued in September 2006, but departments have				
notifications yet.				
24.	West Bengal	Zila Panchayat-18	28	
been devolved to Gram Sabhas. Activity mapping				
Intermediate Panchayat-29				
November 2005.				
Gram Panchayat-28				

Annexe-1B

Status of devolution of functionaries as reported by

different States

Sl.No.	State	Devolution of Functionaries
1.	Andhra Pradesh	Only General staff given, departmental staff answer to departments
2.	Assam	Activity Mapping Notification issued by the state provides for devolution of functionaries matching to the devolution of functions to Panchayats
3.	Arunachal Pradesh	Only skeleton staff given
4.	Bihar	Only General staff given, departmental staff answer to departments
5.	Chhattisgarh	Sahayak Gram Panchayat Adhikari, Gram Panchayat Adhikari, Clerical and Class IV cadres of Education Tribal Health and 7-8 other departments declared as dying cadres and new recruitment to these cadres is undertaken directly by the Panchayats. Chhattisgarh has been particularly successful in recruitment of new Shiksha Karmis at the level of the Janpad Panchayats. More than 30,000 teachers have been so recruited into local level cadres
6.	Goa	Village Panchayats can appoint employees other than Secretary or Gram Sevak using Panchayat funds. In ZPs, CEO and Adhyaksha of ZP have full control over ZP staff
7.	Gujarat	2.2 lakh employees devolved to Panchayats, mainly on deputation from State govt to Panchayat level post, covering 11 departments.
8.	Haryana	Activity mapping of Feb 2006 devolves staff through deemed deputation in respect of 3 departments
9.	Himachal Pradesh	Staff is with State govt. Panchayats are appointing authority for 6 types of employees of group C&D category. In addition, Panchayats can report on physical attendance in respect of 2 categories of people
10.	Jharkhand	No elections held to Panchayats
11.	Karnataka	Staff of all departments for which functional devolution undertaken, devolved to Panchayats on deputation. GPs can appoint Panchayat staff, except Panchayat secretary. All transfers within the district done by committee headed by CEO of ZP
12.	Kerala	Staff of 14 departments transferred to Panchayats, with disciplinary control and career review (through CRs) transferred to them
13.	Madhya Pradesh	All Class III village level functionaries converted into dying cadres and fresh recruitments undertaken by Panchayats. These include Panchayat secretaries, primary school teachers, anganwadi workers etc.
14.	Maharashtra	All Group III and IV Panchayat level functionaries to be appointed by Zilla Panchayats. New amendment in 2003 brings all village level officials under the Village Panchayats
15.	Manipur	Staff of the Government are posted to Panchayats and continue under the control and superintendence of the government
16.	Orissa	Officials of departments are to report to Panchayats in respect of transferred schemes. Panchayats do not make any appointments of their own
17.	Punjab	Seven departments propose to delegate powers of supervision to Panchayats. In health department, the powers of outsourcing the running of PHCs has been devolved to Panchayats. Recently. In education department, powers of recruitment of teachers has been given to Panchayats
18.	Rajasthan	Officials of 8 departments placed with each Panchayat through deputation from government
19.	Sikkim	Staff on deputation from the Government. Panchayat secretary elected by the members. Draft Panchayati Raj service rules prepared by the State and is under examination by line departments

20. Tamil Nadu At GP level, part-time clerks can be appointed by the Panchayat president. ZPs and Block Panchayats have no control over line department staff
21. Tripura Staff in respect of 21 departments deputed to Panchayats from the government, with Panchayats exercising powers of payment of salaries, grant of leave, writing of CRs and disciplinary action
22. Uttar Pradesh GPs have power of verification of attendance of all village level workers. Village level functionaries of some departments were transferred to Gram Panchayats in 1999, but they were subsequently withdrawn.
23. Uttarakhand In January 2005, executive orders were issued transferring powers of seeking information and supervision over employees of 14 departments to Panchayats.
24. West Bengal EO of the ZP made appointing authority for all posts except group D posts at GP level, for which EO of Panchayat samiti is the appointing authority. This has been done by the WB Panchayat amendment Act 2006. Each GP has 6 sanctioned posts.

Annexe-1C

Creation of Panchayat Sector in State Budgets

Seven States, namely, Chhattisgarh, Gujarat, Karnataka, Kerala, Madhya Pradesh, Maharashtra and Rajasthan have provided for a separate Panchayat Sector component in their State budgets. In Goa separate demand heads have been created for 29 items. The Ministry of Panchayati Raj has entrusted three action research projects to undertake budgetary analysis of States of Uttar Pradesh, Himachal Pradesh, Rajasthan, Madhya Pradesh, Tamil Nadu, Andhra Pradesh and Orissa so as to ascertain (a) the extent to which the State is assigning funds to Panchayats, (b) the Schemes and line items in the Budget, which ought to be assigned to the Panchayats in the States concerned, in accordance with the legislative assignment of functions and activity mapping in the State.

GOVERNMENT OF INDIA
MINISTRY OF PANCHAYATI RAJ
LOK SABHA
UNSTARRED QUESTION NO 248
ANSWERED ON 27.02.2008
ADDITIONAL FUNDS FOR PANCHAYATS

248 . Shri SURESH CHANABASAPPA ANGADI

Will the Minister of PANCHAYATI RAJ be pleased to state:-

(a) whether his Ministry has proposed any scheme for panchayats to get additional funds competing with each other; and

(b) if so, the details thereof;

ANSWER

MINISTER OF PANCHAYATI RAJ(SHRI MANI SHANKAR AIYAR)

(a)and(b): Yes Sir. The Panchayat Empowerment and Accountability Incentive Scheme (PEAIS) of the Ministry is already being implemented to incentivise the State Governments/UTs to empower the Panchayats through better and quicker devolution of powers as envisaged in the Part IX of the Constitution. However, as the budget allocation for this scheme is only Rs. 10 crores, the Ministry has now proposed to implement the scheme across the country as a national programme through which States that are able to show better performance over the previous year in empowering Panchayati Raj Institutions and Panchayat which demonstrate better performance in practicing transparency and accountability to citizens, would receive incentive grants. The performance of the States and Panchayat would be independently assessed using a Devolution Index developed for the purpose. The PEAIS is envisaged to be a Government of India-led funding support, to which the World Bank and other donors could supplement with additional funds. The scheme is still in the process of conceptualization and finalization.

GOVERNMENT OF INDIA
MINISTRY OF PANCHAYATI RAJ
LOK SABHA
UNSTARRED QUESTION NO 775
ANSWERED ON 22.10.2008
IT SUPPORT TO PANCHAYATS

775 . Shri SHISHUPAL NATTHU PATLE

Will the Minister of PANCHAYATI RAJ be pleased to state:-

(a) whether any resolution was adopted during the Seventh Round Table Conference of Ministers in-charge of Panchayati Raj for facilitating all panchayats with Information Technology (IT) support;

(b) if so, the details thereof alongwith the number of panchayats likely to be provided with such facilities; and

(c) the time by which all the panchayats in the country are likely to be covered under the scheme?

ANSWER

MINISTER OF PANCHAYATI RAJ (SHRI MANI SHANKAR AIYAR)

(a): Yes, Sir. The Seventh Round Table of the State Ministers of Panchayati Raj held in Jaipur in December, 2004 resolved that capacity of Panchayats for fulfilling their constitutionally and legislatively mandated role would be strengthened through Information Technology & Communication. The relevant extract from the Resolution of the Seventh Round Table Conference is annexed.

(b)&(c): In keeping with the resolution adopted at the Seventh Round Table Conference, a proposal for extending I.T. support to all the Panchayats in the country has been formulated and is under consideration of the Government.

Annexure referred to in Reply to USQ No.775

Relevant extract from the Resolution of the Seventh Round Table of Ministers in-charge of Panchayati Raj held at Jaipur on 17-19 December, 2004.

IT enabled e-Governance

1. It is recognized that IT (Information Technology and Communication) is a vital input of capacity for Panchayats so that they can perform their constitutionally and legislatively mandated functions better.

2. IT ought to be primarily positioned as:

(i) a decision making support system for Panchayats themselves;

(ii) a tool for transparency, disclosure of information to citizens; social audit;

(iii) a means for better and convergent delivery of services to citizens;

(iv) a means for improving internal management and efficiency of Panchayats;

(v) a means for Capacity building of representatives and officials of the Panchayats;

(vi) an e-Procurement medium.

In this endeavour, the Round Table specifically proposes the following initiatives:

Process Re-engineering:

3. All States shall undertake a time-bound exercise of process re-engineering in consonance with the activity mapping already being undertaken by them for the functions transferred to the Panchayats, with a view to moving the processes of decision making, implementation, disclosure to the public, delivery of services and reporting and dissemination of information to Panchayat representatives to an IT-enabled environment.

4. In this exercise regard shall be had to avoid duplication of hardware and software initiatives by different State government departments and agencies.

5. Considering the functional domain of Panchayats that potentially extends to 29 subjects listed in the Eleventh Schedule, all e-Governance initiatives at the local level have to converge with the appropriate PRI as the nodal point.

Data Ownership:

6. Such re-engineered processes shall ensure that the ownership of the data collected at the Panchayat level is with that level in the first instance, as the system becomes sustainable when those who use the data feel that they own it.

7. While owning the data, the Panchayat could also operate, outsource or provide space to IT enabled multi service kiosk centers that provide IT enabled services to the people, including those that fall within the functions of the Panchayats.

8. The Community Service Centers being rolled out by the Ministry of Information Technology at the Centre may be located in the Panchayat offices so that Panchayats' services can also be delivered through these Common Services Centers (CSC).

Training:

9. There has to be a systematic approach on training of staff and Panchayati Raj members through a cascading mode on use of IT.

10. The opportunities offered by the satellite connectivity provided through the ISRO, including EDUSAT, can be used for undertaking training.

11. While developing training material, regard shall be had to design user friendly approaches that can facilitate training of the illiterate or the neo-literate.

Software:

12. Development of common software application packages with provision for appropriate customization by states is preferred. In this connection, the National Informatics Centre (NIC), which being a government body present in all districts of the country and which has already done considerable software development for Panchayats, may be considered as the primary software provider.

13. It is recommended that NIC strengthens themselves at all levels and provide dedicated staff through creating a Panchayat informatics division, with a time bound mandate to develop e-Governance solutions to all levels of Panchayats. This will include the strengthening of the District Informatics Office of the NIC to support the District Planning Committee and the Panchayats.

14. The National Panchayat Portal developed by the NIC for the Ministry of Panchayati Raj to become the information hub that links up Panchayats, the State Government and the Central Government for sharing of information, experiences and best practices. As a first step, all State governments may immediately link and port the content of their existing Panchayat Raj websites or portals to the National Panchayat Portal and all District, Intermediate and Village Panchayats can be enabled and facilitated to link up with the portal. The content can be regularly updated by the respective stake holders.

15. A repository of software solutions already developed by several states shall be maintained by the Ministry of Panchayati Raj or an institution nominated by it, so that they can be used by other states.

16. Software development shall be primarily undertaken in open source software, with Indian language interphase, so as to reduce cost of replication and licensing.

Hardware:

17. States should consider specifying a framework for common standards for hardware and put in place a system for transparent procurement through competitive bidding.

18. Funds for acquisition of hardware could be dovetailed from various sources and could include

(i) Infrastructure funds available in multilaterally funded projects,

(ii) Own incomes of Panchayats,

(iii) Funds recommended by the Finance Commission for the creation and maintenance of Databases,

(iv) Funds sourced from a fund to be created and managed by the Ministry of Panchayati Raj,

(v) MP and MLA Local Area Development funds,

(vi) Purchases based on systems of annuity based purchases.

19. Considering the present power situation in the country, while procuring hardware, special attention shall be paid to providing reliable and uninterrupted power supply to computer systems. Special emphasis shall be placed on renewable energy devices and systems that consume less energy.

Infrastructure and connectivity:

20. It is recommended that the NIC expands its communication network, NICNET, to link all Panchayats at all levels by using State Wide Area Network funds provided by the Department of Information Technology, Government of India.

21. State governments can approach ISRO for providing satellite based connectivity in all the states to enable connectivity of all Panchayats. The initial infrastructure cost could be considered to be met or supported by an infrastructure fund that could be operated by the Ministry of Panchayati Raj.

Operationalisation of the plan:

22. The initiative of empowering Panchayats with IT capacity shall be treated on par with creating national infrastructure such as power, telecom and roads.

23. Formulate a mission mode/empowered committee mode for IT enabled automation of Panchayat institutions with NIC and other solution providers, keeping in view the national e-governance action plan of the Government of India.

GOVERNMENT OF INDIA

MINISTRY OF PANCHAYATI RAJ

LOK SABHA

STARRED QUESTION NO 44

ANSWERED ON 18.02.2009

KNOWLEDGE KIOSKS IN PANCHAYATS

44 . Shri MAGUNTA SREENIVASULU REDDY

Will the Minister of PANCHAYATI RAJ be pleased to state:-

(a) whether the Government proposes to set up knowledge-kiosks in panchayats for extending the benefits of information and communication technology to the rural people, specially women and the poor;

(b) if so, the details thereof;

(c) the time by which these kiosks are likely to be set up; and

(d) the action taken by the Government in this regard ?

ANSWER

MINISTER OF THE STATE IN THE MINISTRY OF PANCHAYATI RAJ (SHRI MANI SHANKAR AIYAR)

(a), (b), (c) & (d): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN PARTS (a), (b), (c) and (d) OF LOK SABHA STARRED QUESTION NO. 44, DUE FOR REPLY ON 18.2.2009, REGARDING KNOWLEDGE-KIOSKS IN PANCHAYATS.

(a): Yes, Sir. The Government proposes to extend the benefits of information and communication technology (ICT) to all sections of the rural population of the country through the proposed Centrally Sponsored Scheme for e-governance in Panchayati Raj Institutions (e-PRIs). The proposed scheme will bring about improved governance and improved service delivery through the Panchayats and enable greater accountability of Panchayati Raj Institutions to the community and other authorities. The project will also result in better implementation and monitoring of schemes, efficient and transparent utilization of funds, and will enable rural people linkage to access the external world of knowledge and markets. Induction of ICT at the panchayats level on such a large scale will eventually result in building ICT culture at the level of the masses. ICT will thus, contribute to "Inclusive Growth" through "Inclusive Governance".

(b): In the proposed scheme, all Village and Block Panchayats are to be provided with ICT infrastructure (Computer, Printer, UPS and Web Camera) and broadband connectivity. Appropriate software applications will also be deployed so as to enable Panchayats meet the service needs of various stakeholders such as citizens, States/UTs and the Central Government.

(c): A time-line of three years is proposed for the complete roll-out of the project.

(d): A National Programme Committee (NPC) under the Chairmanship of Secretary, Panchayati Raj has been set up. NPC is responsible for setting the mission and vision of the project; approving projects under e-PRI; putting in place suitable instruments and mechanisms to monitor and evaluate the projects at periodic intervals; and reviewing the implementation of the projects. Based on the recommendations of the NPC, the details of project design and implementation are being formulated.

GOVERNMENT OF INDIA
MINISTRY OF PANCHAYATI RAJ
LOK SABHA
UNSTARRED QUESTION NO 2428
ANSWERED ON 09.08.2010
FOREST MANAGEMENT THROUGH PANCHAYATS

2428 . Shri R. THAMARAISELVAN

Will the Minister of PANCHAYATI RAJ be pleased to state:-

- (a) whether the Government is giving control of forest management to the panchayats; and**
- (b) if so, the details thereof alongwith the steps taken in this regard?**

ANSWER

MINISTER OF PANCHAYATI RAJ (Dr. C.P. JOSHI)

(a) & (b): The Ministry of Panchayati Raj and Ministry of Environment & Forests are working out modalities to establish appropriate linkages on issues related to Forests and Gram Panchayats.

Appendix-IV
(Vide Para 37)

Extracts from Manual of Practice & Procedure in the Government of India, Ministry of Parliamentary Affairs, New Delhi

Definition	<p>8.1 During the course of reply given to a question or a discussion, if a Minister gives an undertaking which involves further action on the part of the Government in reporting back to the House, it is called an 'assurance'. Standard list of such expressions which normally constitute assurances and as approved by the Committees on Government Assurances of the Lok Sabha and the Rajya Sabha, is given at Annex 3. As assurances are required to be implemented within a specified time limit, care should be taken by all concerned while drafting replies to the questions to restrict the use of these expressions only to those occasions when it is clearly intended to give an assurance in these terms.</p> <p>8.2 When an assurance is given by a Minister or when the Presiding Officer directs the Government to furnish information to the House, it is extracted by the Ministry of Parliamentary Affairs from the relevant proceedings and communicated to the department concerned normally within 10 working days of the date on which it is given.</p>
Deletion from the list of assurances	<p>8.3.1 If the administrative department has any objection to treating such a statement as an assurance or finds that it would not be in the public interest to fulfil it, it may write to the Lok/Rajya Sabha Secretariat direct with a copy to the Ministry of Parliamentary Affairs within a week of the receipt of such communication for getting it deleted from the list of assurances. Such action will require prior approval of the Minister.</p> <p>8.3.2 Departments should make request for dropping of assurances immediately on receipt of statement of assurances from the Ministry of Parliamentary Affairs and only in rare cases where they are fully convinced that the assurances could not be implemented under any circumstances and there is no option left with them but to make a request for dropping. Such requests should have the approval of their Minister and this fact should be indicated in their communication containing the request. If such a request is made towards the end of the stipulated period of three months, then it should invariably be accompanied with a request for extension of time. The department should continue to seek extension of time till a decision of the Committee on Government Assurances is received by them. Copy of the above communications should be simultaneously endorsed to the Ministry of Parliamentary Affairs.</p>
Time limit for fulfilling and assurance	<p>8.4.1 An assurance given in either House is required to be fulfilled within a period of three months from the date of the assurance. This time limit has to be strictly observed.</p>
Extension of time for fulfilling an assurance	<p>8.4.2 If the department finds that it is not possible to fulfil the assurance within the stipulated period of three months or within the period of extension already granted, it may seek further extension of time direct from the respective Committee on Government Assurances under intimation to the Ministry of Parliamentary Affairs as soon as the need for such extension becomes apparent, indicating the reasons for delay and the probable additional time required. Such a communication should be issued with the approval of the Minister.</p>

Registers of assurances

8.5.1 The particulars of every assurance will be entered by the Parliament Unit of the department concerned in a register as at Annex 4 after which the assurance will be passed on to the concerned section.

8.5.2 Even ahead of the receipt of communication from the Ministry of Parliamentary Affairs, the section concerned should take prompt action to fulfil such assurances and keep a watch thereon in a register as at Annex 5.

8.5.3 The registers referred to in paras 8.5.1 and 8.5.2 will be maintained separately for the Lok Sabha and the Rajya Sabha assurances, entries therein being made session wise.

Role of Section Officer and Branch Officer

8.6.1 The Section Officer incharge of the concerned section will:

- (a) scrutinise the registers once a week;
- (b) ensure that necessary follow-up action is taken without any delay whatsoever;
- (c) submit the registers to the branch officer every fortnight if the House concerned is in session and once a month otherwise, drawing his special attention to assurances which are not likely to be implemented within the period of three months; and

(d) review of pending assurances should be undertaken periodically at the highest level in order to minimise the delay in implementing the assurances.

8.6.2 The branch officer will likewise keep his higher officer and Minister informed of the progress made in the implementation of assurances, drawing their special attention to the causes of delay.

Procedure for fulfilment of an assurance

8.7.1 Every effort should be made to fulfil the assurance within the prescribed period. In case only part of the information is available and collection of the remaining information would involve considerable time, an implementation report containing the available information should be supplied to the Ministry of Parliamentary Affairs in part scrutinize of the assurance, within the prescribed time limit. However, efforts should continue to be made for expeditious collection of the remaining information for complete implementation of the assurance at the earliest.

8.7.2 Information to be supplied in partial or complete fulfilment of an assurance should be approved by the Minister concerned and 15 copies thereof (bilingual) in the prescribed proforma as at Annex 6, together with its enclosures, along with one copy each in Hindi and English duly authenticated by the officer forwarding the implementation report, should be sent to the Ministry of Parliamentary Affairs. If, however, the information being furnished is in response to an assurance given in reply to a question etc., asked for by more than one member,

an additional copy of the completed proforma (both in Hindi and English) should be furnished in respect of each additional member. A copy of this communication should be endorsed to the Parliament Unit for completing column 7 of its register.

8.7.3 The implementation reports should be sent to the Ministry of the Parliamentary Affairs and not to the Lok/Rajya Sabha Secretariat. No advance copies of the implementation reports are to be endorsed to the Lok/Rajya Sabha Secretariat either.

8.8 The Ministry of Parliamentary Affairs, after a scrutiny of the implementation report, will arrange to lay it on the Table of the House concerned. A copy of the statement, as laid on the Table, will be forwarded by the Ministry of Parliamentary Affairs to the member as well as the department concerned. The Parliament Unit of the department concerned and the concerned section will, on the basis of this statement, make a suitable entry in their registers.

8.9 Where there is an obligation to lay any paper (rule/order/notification, etc.) on the Table of the House and for which an assurance has also been given, it will be laid on the Table, in the first instance, in fulfilment of the obligation, independent of the assurance given. After this is done, a report in formal implementation of the assurance indicating the date on which the paper was laid on the Table will be sent to the Ministry of Parliamentary Affairs in the prescribed proforma (Annex 6) in the manner already described in para 8.7.2.

8.10 Each House of Parliament has a Committee on Government assurances nominated by the Speaker/Chairman. It scrutinized the implementation reports and the time taken in the scrutinized of Government assurances and focuses attention on the delays and other significant aspects, if any, pertaining to them. Instructions issued by the Ministry of Parliamentary Affairs from time to time are to be followed strictly.

8.11 The department will, in consultation with the Ministry of Parliamentary Affairs, scrutinize the reports of these two committees for remedial action wherever called for.

8.12 On dissolution of the Lok Sabha, all assurances, promises or undertakings pending implementation are scrutinized by the new Committee on Government assurances for selection of such of them as are of considerable public importance. The Committee then submits a report to the Lok Sabha with a specific

Laying of the implementation report on the Table of the House

Obligation to lay a paper on the Table of the House vis-à-vis assurance on the same subject

Committees on Government Assurances
LSR 323,324
RSR 211-A

Reports of the Committees on Government Assurances
Effect on assurances on dissolution of the Lok Sabha

recommendation regarding the assurances to be dropped or retained for implementation by the Government.

MINUTES

NINTH SITTING

Minutes of the sitting of the Committee on Government Assurances (2011-2012) held on 14 May, 2012 in Committee Room 'B', Parliament House Annexe, New Delhi.

The Committee sat from 1500 hours to 1615 hours on Monday 14 May, 2012.

PRESENT

CHAIRPERSON

Shrimati Maneka Gandhi

Members

2. Shri Hansraj G. Ahir
3. Shri Bansa Gopal Chowdhury
4. Shrimati J. Helen Davidson
5. Shri Sukhdev Singh Libra
6. Rajkumari Ratna Singh
7. Shri Jagdanand Singh

Secretariat

1. Shri P. Sreedharan - Additional Secretary
2. Shri R.S. Kambo - Director
3. Shri T.S. Rangarajan - Additional Director

Ministry of Steel

1. Shri D.R.S. Chaudhary, Secretary
2. Shri Udai Pratap Singh, Joint Secretary
3. Shri Upendra Prasad Singh, Joint Secretary
4. Dr. Dalip Singh, Joint Secretary
5. Shri C.S. Verma, Chairman, SAIL
6. Shri S.S. Mohanty, Director (Tech.), SAIL
7. Shri A.K. Pandey, Executive Director, SAIL

Ministry of Micro, Small and Medium Enterprises

1. Shri R.K. Mathur, Secretary
2. Shri Amarendra Sinha, Additional Secretary & Development Commissioner (MSME)
3. Shri M.P. Singh, Additional Development Commissioner
4. Shri Niranjan Naik, Industrial Advisor, O/o Development Commissioner (MSME)

Ministry of Panchayati Raj

1. Smt. L.M. Vas, Secretary
2. Shri Hrusikesh Panda, Additional Secretary
3. Shri A.K. Angurana, Additional Secretary
4. Shri Avtar Singh Sahota, Economic Adviser
5. Smt. Rashmi Shukla Sharma, Joint Secretary
6. Shri Sushil Kumar, Joint Secretary

Ministry of Environment and Forests

1. Shri Anoop Badhwa, IGF (NAEB)
2. Shri Amit Kumar, AIG

Ministry of Commerce & Industry

1. Ms. Aditi Das Rout, Director

Ministry of Mines

1. Shri R.K. Malhotra, Director

At the outset the Chairperson welcomed the Members to the sitting of the Committee and apprised them regarding the day's agenda. Thereafter, the Committee considered and adopted the following draft reports without any amendment:-

- (i) 19th Report regarding requests for dropping of assurances (acceded to).
- (ii) 20th Report regarding requests for dropping of assurances (not acceded to), and
- (iii) 21st Report regarding review of pending assurances pertaining to Ministry of Water Resources.

2. The Committee authorized the Chairperson to finalise the Reports and present them to the House in the current Session itself.

3. Thereafter, the representatives of the Ministry of Steel were called in for oral evidence to review the pending assurances between 2nd Session and 6th Session of 15th Lok Sabha pertaining to the Ministry of Steel (Annexure-I). The Committee reviewed all the six assurances and sought clarification on each of them which were replied to by the representatives of the Ministry of Steel. However, with regard to assurance given to reply USQ No. 5661 dated 29 April, 2010, the Committee sought information on number of steel projects in Jharkhand & Orissa proposed to be shifted to other parts of the country alongwith projects which could not commence production in time due to various reasons,

be collected from the respective State Governments within one week's time. The evidence was completed, the witnesses then withdrew.

4. The representatives of the Ministry of Micro, Small and Medium Enterprises were then called in connection with pending assurances upto 7th Session of 15th Lok Sabha. The Committee reviewed all the six assurances (Annexure-II) and sought clarification regarding their implementation from them and the Committee desired that all the assurances be implemented expeditiously, however, with regard to Sl. No. 2, USQ No. 810 dated 2 March, 2010 regarding Hazardous Toys, the Committee noted that the Ministry of Micro, Small and Medium Enterprises has requested Department of Industrial Policy & Promotion (DIP&P), Ministry of Commerce & Industry to notify an order under Toys & Toy Products (Compulsory Registration Order). The Department of Industrial Policy & Promotion is the administrative authority for issuing such notification/Order and the subject matter is under consideration of DIP&P. The Committee, therefore, desired that necessary action in this regard be completed at the earliest. The witnesses of the Ministry of Micro, Small and Medium Enterprises then withdrew.

5. The representatives of the Ministry of Panchayati Raj were then called in, in connection with pending/implemented assurances from 3rd Session of 14th Lok Sabha to 5th Session of 15th Lok Sabha. The Committee reviewed all the six assurances out of which three remain pending. In reply to USQ No. 2428 dated 09 August, 2010 regarding Forest Management through Panchayats the Committee noted that the Ministry of Panchayati Raj has not taken adequate steps to put the Joint Forests Management Committees (JFMCs) under the Panchayat Acts and the matter was being pursued with the State Governments. The Committee, therefore, directed the Ministry to bring the issue to a logical conclusion until then the assurance be kept alive.

The Committee then adjourned.

**STATEMENT SHOWING DETAILS OF ASSURANCES REVIEWED BY THE
COMMITTEE AT THEIR SITTING HELD ON 14 MAY, 2012**

Sl. No.	SQ/USQ No. Dated	Subject	Lok Sabha	Session
1.	USQ No. 728 09.07.2009	Suspension of Operations by VISL	15	2
2.	USQ No. 4601 06.08.2009	Acquirement of Stake by NMDC	15	2
3.	USQ No. 3186 15.04.2010	Allocation of Captive Iron Ore Mines for Steel Plants	15	4
4.	USQ No. 5661 29.04.2010	Shifting of Steel Projects	15	4
5.	USQ No. 3205 12.08.2010	Production of Steel	15	5
6.	USQ No. 3800 02.12.2010	Setting up of Iron Ore Mines and Steel Plants in M.P.	15	6

**STATEMENT SHOWING DETAILS OF ASSURANCES REVIEWED BY THE
COMMITTEE AT THEIR SITTING HELD ON 14 MAY, 2012**

Sl. No.	SQ/USQ No. Dated	Subject	Lok Sabha	Session
1.	USQ No. 3356 28.07.2009	Promotion of MSME Products	15	2
2.	USQ No. 810 02.03.2010	Hazardous Toys	15	4
3.	USQ No. 3179 16.03.2010	Purchase Policy for Micro, Small & Medium Enterprises	15	4
4.	SQ No. 137 03.08.2010	Procurement Policy for MSME	15	5
5.	USQ No. 3242 30.11.2010	Purchase from Enterprises belonging to SCs/STs	15	6
6.	USQ No. 2511 10.03.2011	Growth of MSME Sector	15	7

**STATEMENT SHOWING DETAILS OF ASSURANCES REVIEWED BY THE
COMMITTEE AT THEIR SITTING HELD ON 14 MAY, 2012**

Sl. No.	SQ/USQ No. Dated	Subject	Lok Sabha	Session
1.	USQ No. 2589 16.12.2004	Transfer of Funds directly to Panchayats	14	3
2.	SQ No. 102 05.03.2008	Delegation of Powers to Panchayati Raj Institutions	14	13
3.	@USQ No. 248 27.02.2008	Additional Funds for Panchayats	14	13
4.	*USQ No. 775 22.10.2008	IT Support to Panchayats	14	14
5.	SQ No. 44 18.02.2009	Knowledge Kiosks in Panchayats	14	15
6.	@USQ No. 2428 09.08.2010	Forest Management through Panchayats	15	5

@ Implementation Report laid on the Table of the House on 15.12.2011.

* Implementation Report laid on the Table of the House on 22.3.2012.

MINUTES

TWELFTH SITTING

Minutes of the sitting of the Committee on Government Assurances (2011-2012) held on 30 August, 2012 in Committee Room 'B', Parliament House Annexe, New Delhi.

The Committee sat from 1500 hours to 1615 hours on Thursday, 30 August, 2012.

PRESENT

CHAIRPERSON

Shrimati Maneka Gandhi

Members

2. Shri Kanti Lal Bhuria
3. Shri Sukhdev Singh Libra
4. Rajkumari Ratna Singh
5. Shri Rajendra Agrawal

Secretariat

1. Shri P. Sreedharan - Additional Secretary
2. Shri R.S. Kambo - Director

Ministry of Environment & Forests

1. Dr. T. Chatterjee, Secretary
2. Dr. P.J. Dilip Kumar, DGF & SS
3. Shri M.F. Farooqui, Special Secretary
4. Shri H.K. Pande, Joint Secretary
5. Shri Surjit Singh, Joint Secretary
6. Shri A.K. Srivastava, IGF (FC)
7. Shri Anoop Badhwa, IGF
8. Shri A.M. Singh, IGF
9. Shri Rajesh Gopal, Addl. PCCF & MS (NTCA)
10. Ms. Prakriti Srivastava, DIG (FPD)

At the outset the Chairperson welcomed the Members to the sitting of the Committee and apprised them regarding the day's agenda. Thereafter, the Committee considered and adopted the following draft reports without any amendment:-

- (iv) 22nd Report regarding review of pending assurances pertaining to the Ministry of Steel, Medium, Small & Micro Enterprises and Panchayati Raj.
- (v) 23rd Report requests for dropping of assurances (acceded to).
- (vi) 24th Report regarding requests for dropping of assurances (not acceded to), and
- (vii) 25th Report regarding review of pending assurances pertaining to the Department of Atomic Energy.

2. The Committee authorized the Chairperson to finalise the Reports and present them to the House in the current Session itself.

3. Thereafter, the representatives of the Ministry of Environment & Forests were called in.

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4. A verbatim record of the proceedings has been kept.

The Committee then adjourned.